



# राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

खण्ड 26] शिमला, शनिवार, 11 मार्च, 1978/20 फाल्गुन, 1899 [संख्या 10

विषय-सूची		
भाग 1	वैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश हाई कोर्ट द्वारा अधिसूचनाएं इत्यादि	248—254
भाग 2	वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनाएं इत्यादि	254—255
भाग 3	अधिनियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश हाई कोर्ट, फाइनेन्शियल कमिशनर तथा कमिशनर आफ इन्कम-टैक्स द्वारा अधिसूचित आदेश इत्यादि	255—259
भाग 4	स्थानीय स्वायत्त शासन: म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और टाउन एरिया तथा पंचायती राज विभाग	259
भाग 5	वैयक्तिक अधिसूचनाएं और विज्ञापन	259—262
भाग 6	भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन	262—268
भाग 7	भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं	—
—	अनुसूचक	—

11 मार्च, 1978/20 फाल्गुन, 1899 को समाप्त होने वाले सप्ताह में निम्नलिखित विज्ञप्तियां 'असाधारण राजपत्र, हिमाचल प्रदेश' में प्रकाशित हुईं:—

विज्ञप्ति की संख्या	विभाग का नाम	विषय
3-2/78-इलेक०, दिनांक 8 मार्च, 1978	निर्वाचन विभाग	भारत सरकार, विधि, न्याय और कम्पनी कार्य मंत्रालय (विधायी विभाग) का अधिसूचना सं० एफ०/13(1)/78-विधायी-II, दिनांक 8 मार्च, 1978, हिन्दू अनुवाद सहित, का जन-साधारण की सूचनार्थ पुनः प्रकाशन।
-यथैव-	-यथैव-	भारत निर्वाचन आयोग का चार अधिसूचनाएं संख्या 318/78 (1), 318/78 (2), 318/78 (3) और 318/78 (4) दिनांक 8 मार्च, 1978, हिन्दू अनुवाद सहित, का जन-साधारण की सूचनार्थ पुनः प्रकाशन।
No. EXN-F (18)-3/76, dated 27th February, 1978. -do-	Excise and Taxation Department. -do-	Substituting rule 9 of the Himachal Pradesh Passengers and Goods Taxation Rules, 1957. Exempting owners of certain classes of vehicles from the payment of tax levied under section 3 of the Himachal Pradesh Passengers and Goods Taxation Act, 1955.

# भाग 1—बैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश हाई कोर्ट द्वारा अधिसूचनाएं इत्यादि

## हिमाचल प्रदेश हाई कोर्ट

### NOTIFICATIONS

*Simla-1, the 8th February, 1978*

No. HHC/GAZ/14-18/74.—The Hon'ble the Chief Justice and Judges are pleased to grant 20 days earned leave with effect from February 13, 1978 to March 4, 1978 with permission to prefix and suffix 11th, 12th February and 5th March, 1978 respectively being holidays, in favour of Shri Roop Singh Thakur, Additional District and Sessions Judge, Kangra at Dharamsala, Himachal Pradesh.

Certified that Shri Roop Singh Thakur, Additional District and Sessions Judge is likely to join the same post at the same station from where he proceeds on leave.

Certified that Shri Roop Singh Thakur would have continued to officiate as Additional District and Sessions Judge but for his proceeding on leave.

By order,  
S. P. THAPLYAL,  
Deputy Registrar.

*Simla-1, the 12th February, 1978*

No. HHC. Misc.6-20/77-IV-1025.—In partial modification of this Court's notification of even number dated the 29th December, 1977, the Hon'ble the Chief Justice is pleased to order that the Hon'ble Mr. Justice T. U. Mehta will sit as Vacation Judge on the dates given below, in addition to the dates already notified vide notification referred to above.

*The Hon'ble Mr. Justice T. U. Mehta.*  
13th February, 1978 to 18th February, 1978.

By order,  
N. S. SHANDIL,  
Registrar.

*Simla-1, the 18th February, 1978*

No. HHC/GAZ/14-77/76-1148.—The Hon'ble the Chief Justice and Judges are pleased to grant 15 days earned leave with effect from January 27 to February 10, 1978, with permission to prefix and suffix gazetted holidays and Sunday falling with effect from January 25 & 26, and February 11 and 12, 1978, to Shri Vinod Kumar Gupta Subordinate Judge-cum-Judicial Magistrate, Sarkaghat, District Mandi.

Certified that Shri Vinod Kumar Gupta would have continued to officiate against the post of Subordinate Judge-cum-Judicial Magistrate but for his proceeding on leave.

Also certified that Shri Vinod Kumar Gupta has joined the same post and also the same station from where he proceeded on leave.

By order,  
S. P. THAPLYAL,  
Deputy Registrar.

*Simla-2, the 20th February, 1978*

No. HHC/GAZ/14-67/76-1304.—It is hereby notified that the Hon'ble Mr. Justice Tryambaklal Umedchand Mehta, has assumed the charge of the office of the

Acting Chief Justice of the High Court of Himachal Pradesh in the forenoon of 20th February, 1978 in pursuance of Notification No. 43/1/78-Jus. dated 9th February, 1978 issued by the Government of India, Ministry of Law, Justice & Company Affairs Department of Justice, New Delhi.

By order,  
N. S. SHANDIL,  
Registrar.

*Simla-1, the 23rd February, 1978*

No. HHC/GAZ/14-57/75-1288.—In exercise of the powers vested in him under Article 229 of the Constitution of India, the Hon'ble the Acting Chief Justice has been pleased to appoint Shri H. D. Kainthla, presently working as District and Session Judge, Solan Division at Nahan as Registrar, High Court of Himachal Pradesh with effect from March 1, 1978 (F.N.) when Shri N.S. Shandil, the present incumbent, retires. The officer will be entitled to pay and allowances equal to the pay and allowances in his own scale of pay as a Member of the Higher Judicial Service and will be entitled to a special pay of Rs. 250/- per mensem during his period of office as Registrar.

The officer shall not be entitled to any joining.

By order,  
S. P. THAPLYAL,  
Deputy Registrar (Admn.)

## हिमाचल प्रदेश सरकार

### PERSONNEL (A-I) DEPARTMENT

#### NOTIFICATIONS

*Simla-171002, the 18th February, 1978*

No. 3-20/71-DP-Appnt.—The Governor, Himachal Pradesh, is pleased to place the services of Miss S. Brar, HPAS, Deputy Director of Panchayati Raj, Himachal Pradesh at the disposal of the Government of India, Ministry of Agriculture and Irrigation, Department of Rural Development, New Delhi for appointment as Joint Director in the scale of Rs. 1500-1800 on the staff of the Committee Panchayati Raj under the Ministry of Agriculture and Irrigation on deputation basis for six months with immediate effect.

L. HMINGLIANA TOCHHAWNG,  
Chief Secretary.

*शिमला-2, 18 फरवरी, 1978*

संख्या 8-155/71-डी० पी० (ए-II).—हिमाचल प्रदेश के राज्यपाल कृपा पूर्वक श्री एस० सी० कटोच अध्यक्ष हिमाचल प्रदेश, राज्य विजयी बोर्ड को उनको नियुक्ति का अवधि समाप्त होने के बाद 1-12-1977 से 18-3-1978 तक 108 दिन का सेवान्त अवकाश देने की अनुमति प्रदान करते हैं, तथा आदेश देते हैं कि उनको इस अवकाश के दौरान वही वेतन मिलेगा जो वेतन ऐसा अवकाश अपने नियुक्ति काल में लेने पर उनको मिलता था।

अतर सिंह,  
सचिव।

Simla-2, the 21st February, 1978

**No. 1-15/73-DP(Apptt.).**—The Governor, Himachal Pradesh is pleased to order that Shri O. P. Yadava, I.A.S., Registrar, Co-operative Societies, Himachal Pradesh shall also hold the charge of the post of Director of Food & Supplies, Himachal Pradesh in addition to his own duties *vice* Shri I. K. Suri, I.A.S. proceeding on deputation to the Government of India.

L. H. TOCHHAWNG,  
Chief Secretary.

Simla-2, the 23rd February, 1978

**No. 10-1/72-DP-(Apptt.).**—In exercise of the powers conferred by sub-section (1) of section 20 of the Code of Criminal Procedure, 1973, the Governor, Himachal Pradesh is pleased to appoint Shri C. M. Rewal, Tehsildar Pangi to be the Executive Magistrate, with all the powers of an Executive Magistrate under the said Code to be exercised within the local limits of Tehsil Pangi, District Chamba, with immediate effect.

Simla-2, the 23rd February, 1978

**No. 10-3/72-DP-Apptt.**—In exercise of the powers conferred by sub-section (1) of section 20 of the Code of Criminal Procedure, 1973, the Governor, Himachal Pradesh is pleased to appoint the following officers to be the Executive Magistrate with all the powers of an Executive Magistrate under the said Code to be exercised within the limits shown against each, with immediate effect:—

1. Shri Ram Dyal Verma, Within the local limits of Tehsildar, Sundernagar. Tehsil Sundernagar.
2. Shri Laiq Ram, Naib-Tehsildar, Chachiot. Within the local limits of Tehsil Chachiot.
3. Shri Bal Krishan Sharma, Within the local limits of Naib-Tehsildar, Karsog. Tehsil Karsog.
4. Shri O. P. Soni, Tehsildar Recovery. With the local limits of Mandi district.

Simla-2, the 23rd February, 1978

**No. 10-4/72-DP-Apptt.(A-I).**—In exercise of the powers conferred by sub-section (1) of section 20 of the Code of Criminal Procedure, 1973, the Governor, Himachal Pradesh is pleased to appoint Shri Satya Dev, Tehsildar Chopal to be the Executive Magistrate, with all the powers of an Executive Magistrate under the said Code, to be exercised within the local limits of Tehsil Chopal, District Simla, with immediate effect.

Simla-2, the 23rd February, 1978

**No. 10-5/73-Apptt. (I).**—In exercise of the powers conferred by sub-section (1) of section 20 of the Code of Criminal Procedure, 1973, the Governor, Himachal Pradesh is pleased to appoint the following officers to be the Executive Magistrate with all the powers of an Executive Magistrate under the said Code, to be exercised within the local limits shown against each with immediate effect:—

1. Shri R. S. Bali, Tehsildar, Within the local limits of Sadar, District Bilaspur. Tehsil Sadar, district Bilaspur.
2. Shri Narinder Ashok, Within the local limits of Tehsildar Recovery. Bilaspur district.

शिमला-2, 23 फरवरी, 1978

संख्या कारिम (ए-1) (2)-5/77.—हिमाचल के राज्यपाल अनुमति प्रदान करने हैं कि श्री मोहन सिंह दोलना जोकि स्थाई पुलिस निरीक्षक हैं, 1-12-77 से लेकर आगे छः महीने के लिए अस्थाई रूप से पुलिस उप-महानिरीक्षक के पद पर कार्य करने रहेंगे। यह अवधि उनकी नियुक्ति, जोकि नम-संख्या अधिसूचना दिनांक 1-6-77 द्वारा छः महीने के लिए की गई थी, पैरा-2 में दी गई शर्तों पर ही बढ़ाई जा रही है।

Simla-2, the 24th February, 1978

**No. 10-1/72-DP-Apptt.**—In exercise of the powers conferred by sub-section (1) of section 20 of the Code of Criminal Procedure, 1973, the Governor, Himachal Pradesh is pleased to appoint Shri Bhagwan Chand, Naib-Tehsildar Sadar Chamba to be the Executive Magistrate, with all the powers of an Executive Magistrate under the said Code, to be exercised within the local limits of Tehsil Sadar, District Chamba, with immediate effect.

#### CORRIGENDUM

Simla-171002, the 27th February, 1978

**No. 10-3/73-DP-Apptt.**—Please read "Krishan Lal" in place of "Krishan Chand" occurring in this Department's notification of even number, dated the 30th December, 1977.

ATTAR SINGH,  
Secretary.

कृषि विभाग

अधिसूचनाएं

शिमला-2, 18 फरवरी, 1978

संख्या-कृषि-30 (2)-4/77.—विभागीय पदोन्नति समिति की सिफारिशों पर, राज्यपाल महोदय, हिमाचल प्रदेश ने श्री एच० सी० शर्मा, कृषि विभाग के द्वितीय श्रेणी के स्थायी अधिकारी को उप-कृषि निदेशक (प्रथम श्रेणी सेवा) के पद पर 400—1250 रुपये के वेतन मान में 2-11-77 से पदोन्नत एवं नियुक्त करने की कृपा की है।

शिमला-2, 23 फरवरी, 1978

संख्या 23-5/71-कृषि.—राज्यपाल महोदय, हिमाचल प्रदेश, द्वितीय श्रेणी के ग्रुप-I के स्थायी अधिकारी, श्री भूप देव भारद्वाज को उनके संरिया से वापिस अपने विभाग में प्रत्यावर्तित होने पर उन्हें उप-कृषि निदेशक (प्रथम श्रेणी सेवा) कृत्तु के रिक्त स्थान पर (अगले आदेशों तक) तदर्थ रूप से तैनात करने के आदेश प्रदान करने की कृपा करते हैं।

2. राज्यपाल महोदय यह आदेश प्रदान करने की कृपा भी करते हैं कि श्री भारद्वाज उक्त तानाजी के फलस्वरूप प्रथम श्रेणी से ग्रुप में वरिष्ठता का दावा करने का कोई अधिकार नहीं रखेंगे।

शिमला-2, 24 फरवरी, 1978

## EXCISE AND TAXATION DEPARTMENT

## CORRIGENDUM

Simla-2, the 18th February, 1978

No. 19-3/70-E&T (Sectt.).—Corrigendum to notification of even number, dated 3-4-1976 relating to the retirement of Shri R. D. Chauhan, Deputy Excise and Taxation Commissioner, Himachal Pradesh.

For 21-5-1976 (F.N.) please read 31-5-1976 (A.N.).

B. C. NEGI,  
Secretary.वन, खेती एवं परिवेश संरक्षण विभाग  
शुद्धि पत्र

शिमला-2, 18 फरवरी, 1978

आज्ञा से,  
असंगपाल,  
सचिव ।

संख्या एक०टी०एस० (वी०) 3-2/77.—इस विभाग की अधिसूचना दिनांक 21-1-77 में अन्तिम शब्द “ए० सी० एक० बर्किंग प्लेन डिविज़न कोटगढ़” के स्थान पर “ए०टी०एफ० वन मण्डल कोटगढ़” पढ़ें ।

रमेश चन्द्र,  
सचिव (वन) ।

## ANIMAL HUSBANDRY DEPARTMENT

## CORRIGENDUM

Simla-171002, the 18th February, 1978

No. AHY-F(6)-2/77.—Please substitute the word Collector, Land Acquisition-cum-Sub-Divisional Officer (C) Dalhousie against the word Collector, Chamba appearing in para 4 line 4 of the notification of even number, dated the 12th January, 1978.

## NOTIFICATION

Simla-2, the 20th February, 1978

No. AhY-F(6)-2/77.—Whereas it appears to the Governor, Himachal Pradesh that land is likely to be required to be taken by Himachal Pradesh Government at the public expenses for a public purpose for the construction of Staff Quarters for Veterinary Hospital Bathree, District Chamba, it is hereby notified that the land in the localities described below is likely to be acquired for the above purpose.

2. The notification is made under the provision of section 4 of the Land Acquisition Act, 1894 as applied to all whom it may concern.

3. In exercise of the powers conferred by the aforesaid section, the Governor is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

4. Any person interested, who has any objection to the acquisition of any land in the localities, may within thirty days of the publication of this notification, file an objection in writing before the Collector, Chamba, District Chamba, Himachal Pradesh.

## SPECIFICATION

District: CHAMBA Tehsil: BHATTIYAT

Village	Khasra No.	Area Bighas	Kind of land Culturable
MOHAL DADRA	13 and 43	0-15-0	

Sd/-  
Under Secretary.

मत्स्य एवं पशुपालन विभाग

अधिसूचना

शिमला-171002, 24 फरवरी, 1978

क्रमांक ए० एच० वाई० ए० (4) 5/77.—राज्यपाल, हिमाचल प्रदेश, इस सचिवालय के अधिसूचना संख्या ए० एच० वाई० एफ० (3) 3/74, दिनांक 31 दिसम्बर, 1975 द्वारा गठित “हिमाचल प्रदेश फौडर ग्रासलैंड और डेरी डेवेलपमेंट मंडल” को समाप्त करते हैं ।

हस्ताक्षरित,  
सचिव ।

सामान्य प्रशासन विभाग

अधिसूचना

दिनांक, 21 फरवरी, 1978

संख्या जी०ए०डी०(डी०)-4 (डी०) 1-8/76.—इस विभाग की अधिसूचना सम संख्या दिनांक 5 नवम्बर, 1977 द्वारा बनाई गई प्रेस एकरिडिशन कमेटी के पैरा 1 में दिये गए सदस्यों के आगे क्रम 7 से 10 तक निम्नलिखित को सदस्यों के रूप में सम्मिलित किया जाता है:—

- |  |       |
|--|-------|
| 7. श्री रोशन लाल धीमान, धर्मशाला         | सदस्य |
| 8. श्री पी० एन० शर्मा, संवाददाता समाचार  | सदस्य |
| 9. श्री राम चन्द्र, संवाददाता स्टेट्समैन | सदस्य |
| 10. श्री नरेश मलहोत्रा, आकाशवाणी, शिमला  | सदस्य |

हस्ताक्षरित,  
मुख्य सचिव

स्वास्थ्य एवं परिवार कल्याण विभाग

अधिसूचनाएं

शिमला-2, 24 फरवरी, 1978

क्रमांक एच०एफ० डब्ल्यू०डी०(3)-40/77.—हिमाचल प्रदेश के राज्यपाल महोदय, डा० जलित कुमार, हिमाचल प्रदेश स्वास्थ्य सेवा



द्वितीय श्रेणी का त्याग पत्र दिनांक 3-6-77 (दोपहर बाद) में स्वीकार करते हैं।

शिमला-2, 24 फरवरी, 1978

संख्या एच0एफ0 डब्ल्यू0 (बी0) 3-84/77.—राज्यपाल, हिमाचल प्रदेश, डाक्टर राजेश एवे को हिमाचल प्रदेश स्वास्थ्य सेवा जनरल ड्यूटी अधिकारी ग्रेड-II के पद पर 400-30-700/40-1100 रुपये के वेतन मान तदर्थ आधार पर छः मास के लिए 30-8-77 (पूर्वाह्न) से या तब तक के लिए जब तक कि आसामी नियमित रूप में भरी जाए, जो भी पहले हो, नियुक्त करते हैं।

शिमला-2, 25 फरवरी, 1978

संख्या-एच0एफ0 डब्ल्यू0 (बी0) 3-36/77.—हिमाचल प्रदेश के राज्यपाल महोदय निम्नलिखित डाक्टरों को उनके नाम के सामने दिये जिलों में जिला मलेरिया अधिकारी उनके कार्य के अतिरिक्त नियुक्त करने के तत्कालीन प्रभावार्जन आदेश देते हैं:—

1. डा0 सी0 एन0 वैद्य, चिकित्सा जिला मलेरिया अधिकारी अधिकारी (स्वास्थ्य), मण्डी, मण्डी।
2. डाक्टर जी0 एस0 वर्मा, चिकित्सा जिला मलेरिया अधिकारी अधिकारी (स्वास्थ्य) शिमला शिमला।
3. डा. एस0 एल0 मलहोत्रा, जिला मलेरिया अधिकारी, चिकित्सा अधिकारी, (स्वास्थ्य) चम्बा। चम्बा।

आज्ञा स्वरूप,  
सचिव।

उद्योग विभाग

अधिसूचनाएं

शिमला-2, 23 फरवरी, 1978

संख्या 2-125/69-एस0आई0 (एम0आई0डी0सी0)-II.—इस विभाग के समसंख्या, अधिसूचना, दिनांक 27-12-77 का अधिलेखन करते हुए, राज्यपाल, हिमाचल प्रदेश, श्री के0 सी0 पांडे, आवास प्रायुक्त, के नाम से हिमाचल प्रदेश खनिज तथा औद्योगिक विकास निगम शिमला में आवंटित हिस्सा धारक पूंजी को श्री हरमगलियाना तोछबांग, मुख्य सचिव के नाम फिर से तत्काल संबर्द्धित करने की सहृदय आज्ञा देते हैं।

बी0 सी0 नेंगी,  
सचिव।

Simla-2, the 23rd February, 1978

No. 10-55/73-SI-Vol-II.—In exercise of the powers vested in him under section 65(2) of the Factories Act,

1948, the Governor, Himachal Pradesh is pleased to grant exemption from the provisions of section 51, 52, 54 and 56 of the said Act for a period of three months from the date of issue of the notification in favour of the Himachal Pradesh Government Press, Simla-3, subject to the following conditions:—

- (i) the total number of hours of work in any day shall not exceed twelve;
- (ii) the spreadover, inclusive of intervals for rest, shall not exceed thirteen hours in any one day;
- (iii) the total number of hours of work in any week including overtime, shall not exceed sixty;
- (iv) no worker shall be allowed to work overtime, for more than seven days at a stretch and the total number of hours of over time work in any quarter shall not exceed seventy-five.

By order,  
B. C. NEGI,  
Secretary (Lab. P&S.).

## PUBLIC WORKS DEPARTMENT

### NOTIFICATIONS

Simla-2, the 1st February, 1978

No. 9-9/73-PW-B.—Whereas it appears to the Governor, Himachal Pradesh that the land is required to be taken by the Government at public expense for a public purpose, namely for construction of P.M.K. road, it is hereby declared that the land described in the specification below is required for the above purpose.

2. The declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894, to all whom it may concern and under the provisions of section 7 of the said Act, the Collector, Land Acquisition, Himachal Pradesh Public Works Department is hereby directed to take order for the acquisition of the said land.

3. A plan of the land may be inspected in the office of the Collector, Land Acquisition, Himachal Pradesh Public Works Department, Mandi.

### SPECIFICATION

District : MANDI Tehsil : JOGINDERNAGAR

Village	Khasra No.	Area Big.	Bis.	Bisw.	Remarks
1	2	3	4	5	6
PUNDEL	407/1	0	6	8	बारानी अन्वत्त
	663	0	13	1	बा0 दोम
	1021/758/1	0	7	14	बा0 दोम
	408/1	0	4	14	बा0 अन्वत्त
	475/1	0	4	7	बा0 दोम
	477/1	0	0	10	बा0 दोम
	786/1	0	2	3	बा0 सोम
	453/1	0	6	8	बा0 अन्वत्त
	662	0	2	7	बा0 दोम
	780/1	0	10	0	बा0 अन्वत्त
	784/1	0	0	18	बा0 दोम
	784/2	0	3	12	बा0 दोम
	785/1	0	2	19	गैर मु0 मकान
	72/1	0	6	12	बा0 सोम
	112/1	0	3	0	बा0 सोम
	659/1	0	0	10	बा0 दोम
	660	0	2	14	बा0 दोम
	415	0	1	3	बा0 सोम

1

2

3

4

5

6

शिमला 2, 21 फरवरी, 1978

1020/758/1	0	2	12	बा० दोम
756/1	0	2	6	बा० सोम
114/1	0	11	8	बा० सोम
479/1	0	3	0	बा० दोम
495/5	0	1	14	बा० अश्वल
406/1	0	2	6	बा० अश्वल
393/1	0	4	5	बंजर कदोम
394/1	0	2	12	बंजर कदोम
410/1	0	2	14	बा० सोम
476/1	0	4	2	बा० दोम
664/1	0	11	2	बा० दोम
260/1	0	4	14	बंजर कदोम
454/1	0	1	12	बा० अश्वल
783/1	0	0	14	बा० दोम
783/2	0	1	16	बा० दोम
31/1	0	6	16	बा० सोम
416/1	0	3	6	बा० सोम
455/1	0	3	8	बा० अश्वल
370/1	0	1	7	बा० सोम
14/1	0	3	8	बंजर कदोम
478/1	0	0	15	बरानी सोम

Total.. कित्ता 39

7 4 14

संख्या 1-20/73 पी० डब्लू० डी०.—राज्यपाल, हिमाचल प्रदेश श्री सुभाष चन्द्र, कनिष्ठ अभियन्ता (विद्युत) हिमाचल प्रदेश लोक निर्माण विभाग को तुरन्त तदर्थ आधार पर 3 मास के लिए सहायक अभियन्ता (विद्युत) 400-1100 वोल्टमान में उस पद पर जो श्री एम० एस० कपोटी की अधिशासी अभियन्ता के पदोन्नत होने पर खाली हुआ है पदोन्नत करने की कृपा करते हैं।

भगत चन्द्र नेगी,

आयुक्त एवं सचिव।

Whereas it appears to the Governor, Himachal Pradesh that land is likely to be required to be taken by the Himachal Pradesh Government at the public expense for a public purpose\*, it is hereby notified that the land in the locality described below is likely to be acquired for the said\* purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

By order,  
B. C. NEGI,  
Commissioner-cum-Secretary.

Simla-2, the 17th February, 1978

No. PWB. II-A(2)-2/76.—The Governor, Himachal Pradesh is pleased to abolish with immediate effect the State Level Committee on Environmental Planning and Co-ordination constituted vide this Department Notification of even number, dated 19th March, 1976.

शिमला-171002 21 फरवरी, 1978

संख्या पी० डी० डब्लू० 1-बी० (2)-1/77-पी० डब्लू० 'ए'—पहले हुए आदेशों का प्रसंग जारी रखते हुए, राज्यपाल महोदय, हिमाचल प्रदेश ने यह आदेश देने की कृपा की है कि श्री रवि चन्द्र जैन, राजपत्रित अधीक्षक, कार्यालय मुख्य अभियन्ता, लोक निर्माण विभाग, हिमाचल प्रदेश, शिमला अपने पद के कार्यभार के साथ सत्कर्तता अधिकारी लोक निर्माण विभाग, हिमाचल प्रदेश के पद का बिना किसी अतिरिक्त आर्थिक लाभ के, अगले आदेश होने तक कर्तव्य निर्वाहन करेंगे।

शिमला-2, 21 फरवरी, 1978

संख्या 1-20/73-पी० डब्लू० डी०—राज्यपाल हिमाचल प्रदेश, श्री एम० एस० कपोटी, सहायक अभियन्ता (विद्युत) जो इस समय हिमाचल प्रदेश विद्युत बोर्ड में प्रतिनिधित्व पर हैं और जिनका केवल हिमाचल प्रदेश लोक निर्माण विभाग में स्थाई रूप से खपत का सरकार के विचारार्थी है, तुरन्त तदर्थ आधार पर अधिशासी अभियन्ता वेतनमान 800-1600 में पदोन्नत करने की कृपा करते हैं।

Whereas it appears to the Governor, Himachal Pradesh that land is likely to be required to be taken by the Himachal Pradesh Government at the public expense for a public purpose\*, it is hereby notified that the land in the locality described below is likely to be acquired for the said\* purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said land in the locality may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Land Acquisition, Himachal Pradesh Public Works Department, Solan.

\*Construction of Janta-Rajban Road.

No. 9-11/73/PW 'B'. Simla-171002, the 3rd March, 1978

#### SPECIFICATION

District:	SIRMUR	Tehsil:	PAONTA
Village	Khasra No.	Area	
1	2	Big.	Bis.
		3	4
KANDA PHAGGAR	109	10	16
	118	2	19
	104	7	13
	105	12	19
	116	13	12
	117	3	3
	120	2	0
	106	43	15
	114	11	17
	115	1	14
	173	181	6
Total ..	11	291	14
KHALI ACHOAN	98	4	0
	99	6	0
	100	19	4
	111/101	23	16
	97	8	0
Total ..	5	61	0
SOMUN-KAUNON	80	1	7
	82	1	1
	90	0	16
	94	4	1
	86	0	5

1	2	3	4
	87	6	5
	92	5	11
	93	0	4
	106	1	1
Total ..	9	20	11
KANSAR	3	16	0
	4	6	2
	8	17	11
	5	81	6
	9	7	16
	7	6	16
Total ..	6	135	1
BROG	10	8	11
BANARI	43	3	4
	44	30	8
	52	3	10
	59	11	11
	57	1	0
	56	4	5
	70	28	13
	65	3	1
	67	6	7
	255/67	3	18
	76	1	0
	75	7	3
	77	6	16
	96	0	2
	97	2	9
	98	3	9
	95	1	3
	94	7	9
	93	13	16
	111	1	4
	112	1	0
	113	2	0
	114	3	8
	115	3	18
	151	3	2
	152	2	15
	150	0	7
	149	2	14
	148	0	4
	138	1	7
	161/147	19	9
	208	7	19
	153	3	6
Total ..	34	201	8

By order,  
B. C. NEGI,  
Commissioner-cum-Secretary.

## REVENUE DEPARTMENT

### NOTIFICATIONS

Simla-2, the 20th February, 1978

No. 43/77-Rev. Cell-II.—Whereas it appears to the Governor, Himachal Pradesh that land is likely to be required to be taken by Baira Siul Hydel Project, Government of India at the public expense for a public purpose, namely for the construction of 220 K.V. D/C Transmission Line from Surgani to Talwara.

It is hereby notified that land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said land in the locality may within thirty days of the publication of this notification, file an objection in writing before the Collector of Land Acquisition, Baira Siul Hydel Project, Nurpur.

### SPECIFICATION

District: KANGRA

Tehsil: NURPUR

Mauza/ Village	Khasra No.	Area in K. M.
1	2	3 4
BAROT/BATLAHAR	8/1	0 11

Simla-171002, the 24th February, 1978

No. 13-39/60-Rev-I (II).—In continuation of this department notification of even number, dated the 11th April, 1977 and in consultation with the Himachal Pradesh Public Service Commission, the Governor, Himachal Pradesh is pleased to extend the purely temporary appointment of Shri Birpal Singh Statistician as Director Agricultural Census, Himachal Pradesh, in the pay scale of Rs. 400—1250 with effect from the 11th October, 1977 to 31st January, 1978 or till the post is filled on a regular basis, whichever is earlier.

By order,  
H. S. DUBEY,  
Financial Commissioner.

ग्रामीण एकीकरण विकास विभाग

ग्रविमूचना

सिमला-2, 10 फरवरी, 1978

क्रमांक 5-4/77-सी० डी० (सी० एस०).—हिमाचल प्रदेश के राज्यपाल जनहित में महसूत विकास कार्यक्रम को लाहौल और स्पीति जिला के स्पीति क्षेत्र में चवाने हेतु राज्य स्तरीय तालमेल और समीक्षा समिति का गठन करते हैं जो इस कार्यक्रम के चवाने में प्रगति व इसके मूल्यांकन को देखरेख करेगी। समिति के निम्न-लिखित सदस्य होंगे:—

- वन मंत्री, हि० प्र० शिमला अध्यक्ष
- कृषि उत्पादन आयुक्त, हि० प्र० शिमला सदस्य
- जन जातीय विकासयुक्त, हि० प्र० शिमला सदस्य
- श्री जे० पी० शर्मा, (उप-सचिव डी० सी० एस०) भारत सरकार, कृषि तथा सिंचाई मंत्रालय (ग्रामीण विकास विभाग) कृषि भवन नई दिल्ली। सदस्य
- मुख्य अभियन्ता (सिंचाई) हिमाचल लोक निर्माण विभाग शिमला। सदस्य
- मुख्य अभियन्ता (भवन व सड़कें) हिमाचल लोक निर्माण विभाग शिमला। सदस्य
- मुख्य अभियन्ता, हिमाचल राज्य बिजली बोर्ड, शिमला सदस्य
- महावन रान, हि० प्र० शिमला सदस्य
- कृषि नदी हि० प्र० शिमला सदस्य
- उप-निदेशक हि० प्र० शिमला सदस्य

- |   |            |   |         |
|---|------------|---|---------|
| 11. निदेशक पन्थालन हि० प्र० शिमला                       | सदस्य      | 2. The Joint Secretary (Tourism)<br>Government of Himachal Pradesh<br>Simla.        | Member  |
| 12. रजिस्ट्रार सहकारी समितियां हि० प्र० शिमला-4         | सदस्य      |   |         |
| 13. निदेशक उद्योग हि० प्र० शिमला                        | सदस्य      | 3. The Joint Secretary (Finance)<br>Government of Himachal Pradesh<br>Simla-171002. | Member  |
| 14. जिलाघोष लाहौल और स्पोति जिला किलांग<br>हि० प्र०     | सदस्य      |   |         |
| 15. निदेशक ग्रामीण एकीकरण विकास विभाग<br>हि० प्र० शिमला | सदस्य-सचिव | 4. The Commissioner Tourism,<br>Himachal Pradesh, Simla.                            | Member. |

2. यात्रा भत्ता/दैनिक भत्ता सदस्य अपने सम्बन्धित विभागों/संस्थानों से प्राप्त करेंगे।

अनंग पाल,  
सचिव।

#### TOURISM DEPARTMENT

##### NOTIFICATION

Simla-171002, the 27th February, 1978

No. 6-12/77-TD (Sectt.).—The Governor, Himachal Pradesh is pleased to constitute a Committee consisting of the following members for having a detailed discussion with the representative of National Council of Applied Economic Research New Delhi for undertaking the survey of Inter-State Air Service in the Pradesh. The Committee will also discuss the details of terms and conditions of the said Company for undertaking the survey work of Inter-State Air Service in the Pradesh.

- |  |          |
|--|----------|
| 1. The Managing Director, Himachal Pradesh Tourism Development Corporation, Simla. | Chairman |
|--|----------|

By order,  
S. K. CHAUHAN,  
Secretary.

#### WELFARE DEPARTMENT

##### NOTIFICATION

Simla-171002, the 16th February, 1978

No. WLF-B(1)-18/75.—The Governor, Himachal Pradesh is pleased to abolish the Screening Committee set up under sub-para (c) of this department notification No. W. 27-102/58-II-Wel. SW., dated the 12th June, 1969 and order the entire service of the employees appointed/posted against various posts/services in the said Home, including the period during which the institution remained under the Managing Committee, shall be treated as Government service for all intents and purposes.

By order,  
A. N. VIDYARTHI,  
Secretary.

भाग 2—वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनाएं इत्यादि

#### EXCISE AND TAXATION DEPARTMENT

##### NOTIFICATION

Dharamsala, the 24th February, 1978

No. KAN-STC-(221)/77-1547.—It is notified for the information of all concerned that the registration certificates issued under the Himachal Pradesh General Sales Tax Act, 1968/Central Sales Tax Act, 1956 of following dealers have been cancelled w.e.f. the dates mentioned against each:—

Sr. No. 1	Name of dealers and address 2	R. C. No. KAN/IV/CST 3	Date of cancellation 4	Remarks 5
1.	M/s Bhai Kirpal Singh Lal Singh, Bhawarna, Tehsil Palampur, District Kangra.	328/531	31-8-1976	Business closed.
2.	M/s Gian Chand Partap Chand V. & P. O. Baghni, Tehsil Nurpur, District Kangra.	534	1-4-1970	-do-
3.	M/s Mahajan & Co., Shahpur, Tehsil and District Kangra.	3278/1467	9-11-1973	-do-
4.	M/s Parveen Kumar Gulshan Kumar, Ghaniara Road Dharamsala, District Kangra.	3570/1778	27-2-1976	-do-
5.	M/s Arjan Singh Mistri, K. D. Dharamsala Tehsil and District Kangra.	2062/672	15-12-1975	-do-
6.	M/s Manohar Lal Gupta & Co., Dharamsala Tehsil and District Kangra.	1825	26-6-1973	-do-
7.	M/s Basti Ram Suresh Kumar V. & P. O. Gangth, Tehsil Nurpur, District Kangra.	2087/503	24-11-1976	-do-
8.	M/s Rup Chand Arjan Dass, Kangra Tehsil and District Kangra.	1863/344	22-4-1977	-do-
9.	M/s Krishna Traders, Kangra Tehsil and District Kangra.	2742/969	28-7-1977	-do-
10.	M/s Gurcharan Singh Pran Nath, L-2 Licensee Kangra, Tehsil Kangra.	2713/937	21-6-1972	-do-
11.	M/s Kangra Tea Planters, Supply and Marketing Society Limited, Palampur, Tehsil Palampur, District Kangra.	2159/304	31-3-1971	-do-

1	2	3	4	5
12.	M/s Bhagat Ram Sat Dev, Kangra Tehsil, Kangra.	627/429	18-10-1977	Business closed.
13.	M/s Summan Kumar & Bros. Jasur, Tehsil, Nurpur, District Kangra.	3258/1461	31-3-1973	-do-
14.	M/s Nand Lal, Kangra Tehsil and District Kangra.	1997/368	22-4-1977	-do-
15.	M/s Sant Ram Roshan Lal, Kangra.	2414/639	14-8-1972	-do-
16.	M/s Ambe Industries, Kangra, Tehsil and District Kangra.	3625/1831	7-5-1975	-do-

Sd/-  
Assistant Excise and Taxation Officer,  
Kangra at Dharamsala.

## PUBLIC WORKS DEPARTMENT

### NOTIFICATION

Solan, the 21st February, 1978

No. SE. III-G(R)-61-12/77-2775-78.—Whereas it appears to the Governor, Himachal Pradesh that the land is required to be taken by the Government at public expense for a public purpose, namely for construction of Drabal-Nanidhar-Sainj Road, it is hereby declared that the land described in the specification below is required for the above purpose.

The declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894 to all whom it may concern and under the provisions of section 7 of the said Act, the Collector, Land Acquisition, Himachal Pradesh Public Works Department is hereby directed to take order for the acquisition of the said land.

A plan of the land may be inspected in the office of the Collector, Land Acquisition, Himachal Pradesh Public Works Department, Solan.

### SPECIFICATION

District: SIRMUR

Tehsil: RENUKA

Village 1	Khasra No. 2	Area Big. Bis.	
		3	4
LOJA MANAL	1077/1	0	8
	1073/1	0	3
	1074/1	2	3
	1074/4	0	3
	Total ..	2	17
DEATHAL	87/1	0	4
	84/1	0	2
	89/1	0	10
	86/1	0	3

1	2	3	4
	85/1	0	3
	60/1	0	7
	88/1	0	4
	85/1/1	0	2
	Total ..	1	15
NAYA PANJAL	929/1	0	5
	603/1	0	16
	605/2	0	15
	610/2	0	12
	611/1	0	1
	641/1	0	7
	704/1	0	5
	1338/644/2	0	9
	706/1	0	13
	931/1	0	3
	708/2	1	2
	596/1	0	4
	597/2	1	0
	590/2	0	12
	543/2	0	17
	609/1	0	7
	590/1/2	0	18
	598/2	0	4
	544/2	0	17
	545/1	0	11
	545/3	1	7
	555/2	2	3
	680/2	0	17
	681/2	0	6
	705/1	0	13
	860/2	2	11
	690/2	2	17
	688/2	1	16
	689/2	0	6
	Total ..	23	14

M. L. BANSAL,  
Superintending Engineer,  
3rd Circle, H.P. P.W.D., Solan.

भाग 3—अधिनियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश हाई कोर्ट, फाइनेन्शियल कमिशनर तथा कमिशनर आफ इन्कम-टैक्स द्वारा अधिसूचित आदेश इत्यादि

कागजिक विभाग

अधिसूचना

शिमला-171002, 13 फरवरी, 1978

एस0 दिनांक 20-11-73 को जारी किए थे और जिनको समय समय पर संशोधित किया गया था संशोधन करने के लिये निम्नलिखित नियम एतद्द्वारा मनाते हैं अर्थात् ।

#### 1. संक्षेप नाम एवं आरम्भ

संख्या. पर- [एस0एस0-1]-अ (3)-7/75.—संविधान के अनुच्छेद 309 के परनुक्त द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राज्यपाल, हिमाचल प्रदेश, सचिवालय तृतीय श्रेणी [भर्ती-पदोन्नति व कुल सेवाओं] की शर्तें नियम 1973, जो अधिसूचना संख्या 1-535/57-111-एस0एस0

1. इन नियमों का नाम हिमाचल प्रदेश तृतीय श्रेणी सेवाएं (भर्ती पदोन्नति तथा कुछ सेवाओं का शर्त) (प्रथम संशोधन) नियम 1978 ।

2. ये नियम तुरन्त प्रवृत्त होंगे।

## 2. संशोधन

1. एंग्लिज्म 'अ' जो हिमाचल प्रदेश सचिवालय श्रेणी-3 सेवाएं [भर्ती परीक्षा तथा कुछ सेवाओं को शर्त] नियम 1973, (इसके उपरान्त इस अधिसूचना में इन्हें नियम कहेंगे) विद्यमान प्रविष्टि के स्थान पर निम्नलिखित प्रतिस्थापित किया जाएगा।

### Clerks:

Has passed the Matriculation examination of a recognised University or the Board or any other higher examination from a recognised University and possesses a minimum speed of 25 W.P.M. in Hindi typewriting:

Provided that if a suitable candidate with the requisite typewriting qualification is not available for appointment, the possession of the said qualification shall not be insisted upon but the person so appointed shall neither be eligible to draw increments in the pay scale nor shall he be entitled to confirmation in the grade till he acquires the prescribed qualification and speed in Hindi Type writing, as the case may be.

- (ii) The existing provisions of col. 7 of Annexure I to the said rules against the name of posts of Jr. Scale Stenographers and Senior Scale Stenographers shall be substituted as under:—

### Junior Scale Stenographers:—

Has passed the Matriculation examination of a recognised University or Board or any other higher examination from a recognised University and possesses a speed of 60 W. P. M. in Hindi Shorthand and a minimum speed of 25 W.P.M. in Hindi Typewriting.

### Senior Scale Stenographers:—

Graduate of recognised University with Hindi Shorthand speed of 80 W.P.M. and above and minimum Hindi Typewriting speed of 25 W.P.M.

आदेश द्वारा,  
हमिगलियांग तौडांग,  
मुख्य सचिव।

## AGRICULTURE DEPARTMENT

### NOTIFICATIONS

Simla-171002, the 6th February, 1978

No. Agr. B. 15(25)/76.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor, Himachal Pradesh, is pleased to make the following rules to amend the Himachal Pradesh Agriculture Department Class-III (Ministerial) Services (Recruitment, Promotion and certain condition of Services) Rules, 1973 (Part-II), notified vide Notification No. 29-1/72-Agr. (Sectt), dated the 13th January, 1974 and subsequently amended from time to time, namely:—

1. *Short title and commencement.*—(a) These Rules may be called the Himachal Pradesh Agriculture Department Class-III (Ministerial) Services (Recruitment, Promotion and certain condition of Services) (Fifth Amendment) Rules, 1978 (Part-II).

(b) These rules shall come into force with immediate effect.

2. *Amendments.*—(i) For the existing entry "100 words per minute in English Shorthand writing and a speed of 40 words per minute in English typewriting and Hindi Shorthand writing speed of 60 words P. m. and 30 words P. m. in typewriting, as the duties of the post may require" against the post of Stenographer at rule 7 (e) of the Himachal Pradesh Agriculture Department Class-III (Ministerial) Service (Recruitment, Promotion and certain condition of Services) Rules, 1973 (Part-II), hereinafter called the said rules, the following entry shall be substituted:—

"60 words per minute in Hindi shorthand writing and 25 words per minute in Hindi Typewriting".

(ii) For the existing entry "80 words per minute in English Shorthand writing and a speed of 35 words per minute in English typewriting and speed of 60 words in shorthand writing and 25 words per minute in typewriting as the duties of the post may require" against the post of Steno-typist at Rule 7 (f) of the said rules, the following entry shall be substituted:—

"60 words per minute in Hindi Shorthand writing and 25 words per minute in Hindi typewriting".

(iii) For the existing entry "30 words per minute in typewriting or 25 words per minute in Hindi typewriting as the duties of the post may require" against the posts of Clerks at Rule 7 (g) of the said rules, the following entry shall be substituted:—

"25 words per minute in Hindi typewriting."

Simla-171002, the 13th February, 1978

No. Agr-D(51)/77.—In exercise of the powers conferred by section 37 of the Insecticides Act, 1968 (46 of 1968), the Governor, Himachal Pradesh, and in consultation with the Central Insecticides Board, is pleased to make the following amendments in the Himachal Pradesh Insecticides (Appeal) Rules, 1973, the same having been previously published, vide Himachal Pradesh Government notification No. 6-19/69-Agr. (Sectt.) Vol. II, dated the 12th March, 1973, namely:—

1. *Short Title and commencement.*—(i) These may be called the Himachal Pradesh Insecticides (Appeal) (First Amendment) Rules, 1978.

(ii) These shall come into force at once.

2. *Amendment of rule 3 (4).*—The existing clause (4) of rule 3 of the said rules shall be substituted as under:—

"In these rules unless there is anything repugnant in the subject or context, 'Appropriate Head' means Head 105—Agriculture Receipts from Plant Protection Services/Licence fee etc. or any other Head of Account as may be notified by the Government."

By order,  
ANANG PAL,  
Secretary

## REVENUE DEPARTMENT

### NOTIFICATION

Simla-171002, the 3rd December, 1977

No. Rev. II. A(3)-1/77.—Whereas, the draft of the Himachal Pradesh Restitution of Mortgaged Lands Rules, 1977 was published as required under sub-section (1) of section 14 of the Himachal Pradesh Restitution of Mortgaged Lands Act, 1976 (Act No. 20 of 1976) in Rajpatra Himachal Pradesh Extraordinary, dated the 11th June 1977 vide Revenue Department Notification No. 10-69-Rev.B, dated the 6th April, 1977 for inviting objections or suggestions from all persons likely to be

affected thereby, within a period of 15 days from the date of publication of the Draft Rules, in the Rajpatra;

And whereas, no such objection or suggestion has been received from the public on the said Draft Rules;

Now, therefore, in exercise of the powers conferred by section 14 of the said Act, the Governor, Himachal Pradesh is pleased to make the following rules:—

# THE HIMACHAL PRADESH RESTITUTION OF MORTGAGED LANDS RULES, 1977

1. *Short title and commencement.*—These rules may be called the Himachal Pradesh Restitution of Mortgaged Lands Rules, 1977.

(2) They shall come into force at once.

2. *Definitions.*—(1) In these rules, unless there is anything repugnant in the context:—

(i) "Act" means the Himachal Pradesh Restitution of Mortgaged Lands Act, 1976 (Act No. 20 of 1976).

(ii) "compensation" means the amount assessed by the Collector under section 7 of the Act as payable to a mortgagee prior to the restitution of any mortgaged land to the mortgagor; and

(iii) "section" means section of the Act.

(2) All other words and expressions used, but not defined, in these rules, shall have the meanings respectively assigned to them in the Act.

3. *Form, Stamp duty and manner of presentation of the petition under section 4.*—(1) The petition under section 4 shall be in form 'A' attached to these rules, signed and verified as laid down in Order VI, rules 14 and 15, respectively, of the Code of Civil Procedure (5 of 1908).

(2) The petition shall bear the court-fee prescribed by Article 1(b) of schedule II to the Court-fees Act, 1870 as amended in its application to Himachal Pradesh and shall be accompanied by an attested copy of the latest jamabandi entry relating to the land, and a copy of the original mutation of the mortgage. There shall also be filed along with the petition as many copies thereof as is the number of persons mentioned in columns (2) and (3) of the petition.

Provided that if the petitioner is unable to supply copies of the latest jamabandi and the original mutation of the mortgage, he shall pay a fee of Rs. 2/- and the Collector shall get those copies from his office.

(3) A petition shall be presented to the Collector by the petitioner personally or through a duly authorised agent. In the case of two or more petitioners, it may be presented by any one of them.

4. *Procedure to be followed when there are more than one mortgagors.*—When there are more mortgagors than one and all of them do not join in making a petition, it may be made by any one or more of them, the names of the others being set out in column (2) of the petition, and the other mortgagors may subsequently be allowed to join as petitioners on such terms as may be decided by the officer hearing the petition.

5. *Receipt registration of the petition and fixing the date of hearing.*—On receipt of a petition, and after getting the necessary corrections made, if any, the Collector shall order it to be entered in a register and shall, fix a date for hearing and cause notice thereof together with a copy of the petition, to be served on the persons mentioned in columns (2) and (3) of the petition.

6. *Procedure for dealing with the petition.*—Except as otherwise provided by these rules, an officer dealing with a petition shall be guided by the procedure prescribed for Revenue Officers under the Himachal Pradesh Tenancy and Land Reforms Act, 1972 (Act No. 8 of 1974) in so far as it may be applicable.

7. *Written statement of the defence.*—The persons mentioned in columns (2) and (3) of the petition shall present a written statement of their defence, which shall also be signed and verified as laid down in Order VI, rules 14 and 15, respectively, of the Code of Civil Procedure (5 of 1908).

8. *Appearance by parties to the proceedings.*—(1) Parties to proceedings under the Act may appear in person, through a legal practitioner holding a power of attorney or other duly authorised agent.

(2) If any one of the petitioners or respondents is a minor or of unsound mind, the provisions of Order XXXII, Code of Civil Procedure (5 of 1908), shall, so far as these may be applicable, apply to proceedings under the Act.

9. *Hearings.*—The Collector shall then hear the evidence produced by the parties and make such further enquiries as he may deem fit.

10. *Assessment of benefits received by mortgagee while in possession under section 7.*—In assessing the benefits received by a mortgagee while in possession the Collector shall, in the absence of any satisfactory evidence to the contrary, presume that they were equal to the net assets of the land as defined in clause (12) of section 4 of the Himachal Pradesh Land Revenue Act, 1953 (Act No. 6 of 1954). To avoid difficulty where cash rents are rare and to secure uniformity, the estimate of net assets based on rents in kind prescribed by rule 1 of the Land Revenue Assessment Rules, 1929, as in force in Himachal Pradesh shall be used.

11. *Amount of compensation.*—The compensation under sub-section (2) of section 7 shall be the balance left after deduction of the sum assessed under the provisions of the foregoing rules from twice the amount of the principal sum originally advanced under the mortgage:

Provided that the compensation shall in no case exceed the scale laid down in the said section.

12. *Time limit for depositing the amount of compensation under section 7.*—After determining the amount of compensation due under section 7 the Collector shall fix a date within which the petitioner shall deposit the amount in the Government treasury for disbursement to the mortgagee.

13. *Payment of the amount of compensation to the mortgagee.*—When the mortgagee has deposited with the Collector mortgage deed and other documents, if any, evidencing the mortgage or title to the land, or satisfied him that the documents though at one time existing had been lost, he shall be entitled to receive the amount of compensation in accordance with the rules of the treasury, and the documents of title shall be made over to the petitioner.

14. *Procedure to be followed in restitution of the possession to the mortgagor.*—(1) On application by a petitioner in whose favour an order has been made under section (8) of the Act, the Collector may issue a warrant directing the petitioner to be put into possession of the land.

(2) If any co-mortgagor fails to apply under rule 4 to be made a petitioner, or being a petitioner fails to pay his share of the compensation assessed, possession shall be given to the mortgagor by whom such compensation has been paid in full; and such co-mortgagor shall continue to be shown in the revenue records as mortgagor until such time as he has paid his share, to the person who has made payment being shown as mortgagee of his share.

(3) The warrant shall after execution and with necessary endorsement be returned to the Collector.

(4) Possession shall normally be delivered between the first day of May and the fifteenth day of June, unless the land is lying vacant, but the petitioner, may, subject to the payment by him of compensation for standing crops, as may be determined by the Collector, be allowed possession at any other time.



15. *Jurisdiction as to the Collector, when any mortgage transaction affects more than one District and the manner to be adopted in dealing with such transactions.*—(1) When any mortgage transaction affects land situated in more districts than one a petition may be made to the Collector of the district where major portion of land is.

(2) In a petition covered by sub-rule (1) the Collector receiving the application shall transmit a copy of the same to the Collector of each district where any part of the rest of the land is situated.

(3) The Collector hearing the case may have the statement as contemplated under rule 10, so far as these relate to the areas situated in other districts, prepared through the Collectors thereof.

(4) Every final order passed under sections 6 to 9 of the Act by the Collector enquiring into the petition shall, so far as it relates to the land lying in the other district, be similarly communicated to the Collectors thereof.

16. *Procedure for dealing further petition.*—If after the receipt by any Collector of an intimation under sub-rule (2) of rule 15 above, any fresh petition is made to him in respect of the mortgage covered by the first petition: he shall forward the same to the Collector of the district where the first petition is pending and advise the petitioner to seek his remedy there.

17. *Issue of warrant of possession and its execution.*—In cases covered by rule 15 the Collector issuing warrant of possession under rule 14 shall issue a separate warrant for the area lying in each other district and transmit the same for execution to the Collector thereof, who shall execute the warrant as if it had been issued by himself.

18. *Dismissal of a petition not to bar fresh petition.* The dismissal of any petition for default shall not bar a

fresh petition on similar facts, nor shall the failure of a petitioner to pay the amount of compensation have such a result.

19. *Procedure to be followed in case of a dispute among claimants of compensation.*—If there is any dispute between persons claiming to be entitled to compensation, the Collector may either decide the dispute himself, or order the sum deposited by the petitioner not to be paid to any one till the contesting persons have had their rights decided by a competent court of law.

20. *Filing of appeals.*—(1) An appeal against an order by a Collector or a Commissioner under the Act shall be preferred by submitting a memorandum, accompanied by an attested copy of the order appealed against.

(2) Each such memorandum shall bear the court-fee prescribed by Article II of Schedule II of the Court-fee Act 1870, as amended in its applications to Himachal Pradesh.

21. *Procedure for hearing appeals.*—Appeals shall be heard, after proper notice to the parties, on a date fixed for the purpose, and the procedure in force for the reception, hearing and disposal of appeals by Revenue Officers under the Himachal Pradesh Tenancy and Land Reforms Act, 1972 (Act No. 8 of 1974), shall apply, so far as it is applicable.

22. *Repeals and Savings.*—(1) The Himachal Pradesh Restitution of Mortgaged Lands Rules, 1960, are hereby repealed.

(2) Notwithstanding the repeal of the rules under sub-rule (1), anything done, or any action taken in the exercise of the powers conferred by or under the said rules shall be deemed to have been done or taken in exercise of the powers conferred by or under these rules, as if these rules were in force on the day on which such thing was done or action was taken.

#### FORM 'A'

(See rule 3)

### APPLICATION UNDER SECTION 4 OF THE RESTITUTION OF MORTGAGED LANDS ACT, 1976 (ACT NO. 20 OF 1976)

In the District of.....

Tehsil.....

Year.....

Name, parentage and residence of the applicant	Name, parentage and residence of other mortgagors not joining the application	(a) Name, parentage, and residence of mortgagee, and (b) if he be not in possession, of the persons in possession of the land	The area and description of the land to be restored	The date of the mortgage	The name, parentage and residence of the original mortgagor and mortgagee
1	2	3	4	5	6

The amount for which the mortgage was effected	Payments, if any, made towards the mortgage debt	Period for which the mortgagee has been in possession	How does the applicant claim the right of restitution	In case the respondent was not the original mortgagee the manner in which he came to possess the mortgagee rights	Remarks
7	8	9	10	11	12

*Note.*—(1) Attested copies of the latest jamabandi entry relating to the land and the mutation of the mortgage in question be attached to the petition.



- (2) The facts in columns (5) to (12) should be given as are known to the petitioner, and any mistake therein will not affect the petition.
- (3) If the petitioner is unable to secure copies of the latest jamabandi entry and the mortgage mutation or to give the facts required in column Nos. (5) to (12) he should pay a fee of Rs. 2 and the Collector shall get the necessary documents and facts from his office.

Signature of the applicant .....

#### VERIFICATION

Verified that the facts set out in columns.....are true to my knowledge, while facts set out in column Nos.....are true to my belief and information.

Verified at..... on.....

Signature of the person making the verification .....

By order,  
H. S. DUBEY,  
Secretary.

### भाग 4—स्थानीय स्वायत्त शासन: म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और टाउन एरिया तथा पंचायती राज विभाग

पंचायती राज विभाग

आदेश

शिमला, 27 फरवरी, 1978

प्रदेश, पंचायती राज विभाग की पदोन्नति समिति की सिफारिश करने हुए, सहर्ष श्री बी० एच० पठानिया को सह-निदेशक पंचायती राज के पद पर दिनांक 1-2-77 से स्थाई (करकर्म) करने का आदेश देते हैं।

अनंग पात्र,  
सचिव।

संख्या पी० सी० एच-एच०बी० (9) 1/76.—राज्यपाल, हिमाचल

### भाग 5—वैयक्तिक अधिसूचनाएं और विज्ञापन

PROCLAMATION UNDER ORDER 5, RULE 20 C.P.C.  
In the Court of Shri R. L. Raghu, Sub-Judge 1st Class

Nalagarh, District Solan (Himachal Pradesh)

CASE No. 115/1 OF 1977

Shri Achchru Ram s/o Nanak Chand, Goldsmith,  
resident of Nalagarh Ward No. 9 Municipal Committee  
.. Plaintiff.

Versus

1. Babu Ram s/o Mothu Ram, 2. Mangat Ram,  
3. Rajinder Kumar, 4. Surinder Kumar sons of  
Kishan Chand s/o Mothu Ram, resident of village  
Nalagarh, M. C. Ward No. 9 District Solan  
.. Defendants.

To

Shri Babu Ram s/o Mothu Ram, resident of  
Nalagarh, Ward No. 9, Municipal Committee District  
Solan, H.P.

Whereas in the above noted case, it has been proved to the satisfaction of this Court that the above noted defendant No. 1 is evading the service of the summons and cannot be served in the normal course of service.

Hence this proclamation is hereby issued against him to appear in this court on 17-3-1978, 10 A.M. personally or through an authorised agent or pleader to defend

the case. Failing which ex-parte proceedings will be taken against him.

Given under my hand and the seal of the Court  
this 23rd February, 1978.

Seal.

R. L. RAGHU,  
Sub-Judge, 1st Class, Nalagarh.

PROCLAMATION UNDER ORDER 5, RULE 20 OF  
THE C.P.C.

In the Court of Shri Janeshwer Goyal, Sub-Judge  
1st Class, Rampur

Shri Basant Lal Gaggal, r/o Bazar Kumarsain, S. Tehsil  
Kumarsain, District Simla, H.P. .. Plaintiff.

Versus

1. Shri Gian Prakash Forest Lessee & Shop-Keeper,  
Shadupul, Tehsil Kandaghat, District Solan.

2. Shri Raj Kumar Forest Lessee and Contractor,  
r/o Dharampur, District Solan. .. Defendants.

Whereas it has been proved to the entire satisfaction of this court that the above named defendant(s) cannot be served in the ordinary course of service as the summons/notices issued several times in their names have come back un-served.

Now this proclamation under Order 5, Rule 20 C.P.C. is hereby issued requiring the above named defendant(s) to appear before this court on the 21st day of March, 1978 personally, through authorised agent or pleader to defend the case failing which an *ex parte* proceedings shall be taken against them.

Given under my hand and the seal of the court this 24th day of February, 1978.

Seal.

JANESHWAR GOYAL,  
Sub-Judge.

नोटिस u/o 5 रु 20 सी. पी. सी.

### In the Court of Shri Pershotam Dass Goel Sub-Judge Rohru

देवकी नन्द दुकानदार अन्टी, तहसील जुब्बल . . . . वादी

बनाम

श्री काहन चन्द पन्डव सुपुत्र लाल चन्द, निवासी सासकरी,  
डाकघर मोलग, तहसील जुब्बल ।

दावा दिलावानी मु० 2652 रु० 91 पैसे

मुकद्दमा उपरोक्त उनवान वाला में मैं प्रतिवादी को कई बार समन भेजे हैं प्रतिवादी तामोली करने से छुपता है और टानमटोल करता है इस न्यायालय को पूर्ण विश्वास हो चुका है प्रतिवादी को तामोली सहज ढंग से नहीं हो रही है अतः इस नोटिस द्वारा प्रतिवादी को सूचित किया जाता है कि वह मिति 6-4-78 को प्रातः 10 बजे इस न्यायालय में हाजिर आयें और निजि प्रतिवादा प्रस्तुत करें अगर भाप हाजिर नहीं होंगे तो आपके विश्वद एकतरफा कानूनी कार्रवाही अमल में लाई जावेगी आज मिति 25-2-78 को हमारे दस्तखत से जारी हुए ।

मोहर ।

प्रशोतम दास गोयल,  
एव-जज रोहड़ू,  
जिला शिमला, हि० प्र० ।

व अदालत वाई० पी० गुप्ता: व अख्तयारात कुलैक्टर पालमपुर  
कांगड़ा हि० प्र० ।

Case No. 15 1977

पेशी 15-3-78

इस्तहार जेर आर्डर नं० 5 रु 20 जल्वा दिवानी

श्री सोहन सिंह पुत्र नेगा राम पुत्र जवाला सकना सनयाना मौजा  
देव गांव, तहसील पालमपुर, कांगड़ा हि० प्र० ।

बनाम

सर्वश्री जगदीश चन्द (2) प्रताप चन्द (3) सोहन सिंह  
संसार चन्द पिसरान आंमवी लोखा देवी पुत्री (6) बनपत  
(7) मिलाप चन्द पिसरान व नाबालग (8) काप्ता देवी पुत्री  
नाबालग (minor) मारफा प्यूलवां देवा सैय राम माता  
स्वयं बनी नाबालगान (9) पयूला देवी देवा सेव राम सकवान  
तमाम वामो टोका व मौजा डेगरा तहसील पालमपुर, कांगड़ा हि० प्र०  
मुसलमन ।

प्रार्थना पत्र निम्नवत: फरुजुलरहन भूमि ग्राम नं० 3 खतोनी  
नं० 5 खमरा नम्बरान 910, 914, 916, 1134 किता 4 रकबा

वकदर 0-05-68 हैक्टर जमात्रन्दी मिसल हकीरद बन्दोबस्त टीका  
डेगरा 1, 9, 0, 5, 59 हैक्टर तहसील पालमपुर 1/60 भाग उपरोक्त  
खता 2 मरना उपरोक्त अदालत सदर में सायल ने दरखास्त की  
है कि उस को भूमि मुदालयम के पास रहन है जो समायत अदालत  
है जिसको अगलो पेशी 15-3-78 है मुसलमन को अदालत से कई  
बार समन जारी हो चुके हैं । परन्तु मुसलमन बावजूद जारी करने  
समन के हाजिर न हो रहे हैं इस लिए अदालत को यकीन हो गया  
है कि मुसलमन को तामोली असात तरीके से नहीं हो सकती है ।  
अतः मुसलमन को जेर आर्डर 5 रु 20 जाबता दिवानी बजरिये  
इस्तहार गजट सूचित किया जाता है कि वह तिथि 15-3-78  
अदालतन व वकालतन हाजिर हो कर पैरवी मुकदमा करे व सूत  
दिगर जाबता कार्यवाही अमल में लाई जायेगी ।

आज मेरे हस्ताक्षर व मोहर अदालत में जारी हुआ ।

मोहर ।

हस्ताक्षरित,  
जिलाधीश पालमपुर ।

कार्यालय भूव्यवस्था समाहर्ता, कांगड़ा मण्डल स्थित बरंगाला  
हिमाचल प्रदेश

अपील नम्बर. 44 एस० ओ०

जंगबहादुर सिंह आदि

\* अपीलार्थी ।

बनाम

हंस राम आदि

\* प्रत्यार्थी ।

अपील बनराजगी फैसला इन्तकाल नम्बर 619 दिनांक 28-6-77

बमुकदमा उनवान वाला में उक्त प्रत्यार्थीगण में से 1. केहर सिंह  
उर्फ केहरू निवासी टिकर, तहसील पालमपुर 2. मलका देवी  
पुत्री सोखू राजपूत निवासी सामा 3. जरमन सिंह 4. खुशहाल सिंह  
सुपुत्र भगत सिंह निवासी भोड़ा 5. चन्द पुत्र मंगल 6. महला देवी  
देवा भगत सिंह निवासी भोड़ाखास 7. हमोरचन्द पुत्र लखा राम, निवासी  
रोहड़ा 8. ज्ञान सिंह पुत्र परेमा राम निवासी भोड़ा 9. रावण राम  
10. पृथी चन्द पुत्र सोहनू राम 11. उत्तमचन्द पुत्र घोघर राम,  
निवासी भोड़ा 12. जगजीत सिंह 13. सर्वजीत सिंह 14. शिवजीत  
सिंह 15. दिलजीत सिंह 16. कुलदीप सिंह पुत्र प्रताप सिंह निवासी  
भोड़ा 17. बरफी राम 18. किरलू 19. प्रताप चन्द 20. शरद  
चन्द पुत्र रतपत 21. बलदेव चन्द व 22. हमोर सिंह पुत्र जीता  
उर्फ रणजीत सिंह, निवासी भोड़ा, तहसील पालमपुर, जिला कांगड़ा  
बार बार समन जारी करने के भी हाजिर आने में गुरेज कर  
रहे हैं जिससे अदालत हवा को यकीन हो गया है कि साधारण  
तरीका से तामोली समन होनी कठिन है ।

अतः इस्तहार हवा जेर आर्डर 5, रु 20 सी० पी० सी०  
जारी होकर उक्त प्रार्थीगण को सूचित किया जाता है कि बमुक-  
दमा उनवान वाला में जिसको आगामी पेशी 27-3-78 को नियुक्त  
को गई है अदालत हवा में बमुकाम धर्मशाला अदालतन या वकाल-  
तन हाजिर होकर पैरवी मुकदमा करे व सूत दिगर एकतरफा  
कार्यवाही अमल में लाई जाएगी ।

आज मिति 1-3-78 को हमारे हस्ताक्षर व मोहर अदालत से  
जारी हुआ ।

मोहर ।

बिशन दास,  
भूव्यवस्था समाहर्ता, कांगड़ा मण्डल,  
धर्मशाला ।

नोटिस इस्तहार अखबार

ब अदालत श्री कृष्ण लाल ठाकुर सहायक कुलैक्टर द्वितीय श्रेणी पांवटा साहब, तहसील पांवटा, जिला सिरमौर, हिमाचल प्रदेश

बनाम

संगत राम पुत्र तुला, निवासी ग्राम माहेकमपुर नवादा, नरवीर सिंह पुत्र रणदीप सिंह, निवासी नाहन शहर।

अनुदान:—सहेत ईन्द्राज खसरा नं० 315/184/1/1/1 रकबा तादादी 5-14 बाका मौजा माहेकमपुर नवादा तहसील पांवटा।

नोटिस बनाम:—श्री कंवर नरवीर सिंह हाल जवाईट सैक्रेट्री दूरीजम तथा ट्रांसपोर्ट, हिमाचल प्रदेश शिमला-2।

ब मुकदमा उपरोक्त उनवान वाला में फ्रीक दोयम श्री कंवर नरवीर सिंह जी को कई बार समन जारी किये गये। व समन रजिस्ट्री द्वारा भी भेजे गये। मगर उनकी तामील जाका नहीं हो रही है। अतः अब उपरोक्त फरीक सानी को इस इस्तहार द्वारा सूचित किया जाता है कि वह बराये पैरवी दरखास्त सहेत ईन्द्राज असावतन तथा वकालतन हमारे न्यायालय हजा में तिथि 21-3-78 को सुबह 10 बजे हाजिर आवे। अन्यथा कार्यवाही एकतरफा अमल में लाई जावेगी।

आज तिथि 21-2-78 हस्ताक्षर हमारे व मोहर अदालत से जारी हुआ।

मोहर।

कृष्ण लाल ठाकुर,  
सहायक कुलैक्टर।

नोटिस इस्तहार अखबार

ब अदालत श्री कृष्ण लाल ठाकुर सहायक कुलैक्टर द्वितीय श्रेणी पांवटा साहब, तहसील पांवटा, जिला सिरमौर, हिमाचल प्रदेश

मुहमद अयूब पुत्र शमषु दीन बनाम नरवीर सिंह पुत्र निवासी मोहकमपुर नवादा रणदीप सिंह निवासी नाहन शहर।

अनुदान:—सहेत ईन्द्राज बाबत खसरा नं० 104/1 तादादी 0-15 आबादी देह बाका मौजा मोहकमपुर नवादा, तहसील पांवटा।

नोटिस बनाम:—श्री कंवर नरवीर सिंह हाल जवाईट सैक्रेट्री दूरीजम तथा ट्रांसपोर्ट हिमाचल प्रदेश शिमला नं० 0-2

ब मुकदमा उपरोक्त अनुदान वाला में फ्रीक दोयम श्री कंवर नरवीर सिंह जी को कई बार समन जारी किये गये। व समन रजिस्ट्री द्वारा भी भेजे गये। मगर उनकी तामील जाका नहीं हो रही है। अतः अब उपरोक्त फरीक सानी को इस इस्तहार द्वारा सूचित किया जाता है कि वह बराये पैरवी दरखास्त सहेत ईन्द्राज असावतन तथा वकालतन हमारे न्यायालय हजा में तिथि 21-3-78 को सुबह 10 बजे हाजिर आवें। अन्यथा कार्यवाही एकतरफा अमल में लाई जावेगी।

आज तिथि 21-2-78 हस्ताक्षर हमारे व मोहर अदालत से जारी हुआ।

मोहर।

कृष्ण लाल ठाकुर,  
सहायक कुलैक्टर।

इस्तहार अखबार जेर आर्डर 5, रूल 20 जाना दिवानी अदालत श्री डी० सी चन्दन एसोस्टेन्ट कुलैक्टर माहब द्वितीय श्रेणी शिमला जिला शिमला (हि० प्र०)

मुकदमा नं० 32/73-74 दरख्ती खपरा गिरदावरी मवं श्री बालक राम, बाल कृष्ण पुवान व शिला देवी निर्मल, कान्ता व श्रीमनी कृष्णा देवी पुरीया सन्तराम 27/1 नोयर बाजार शिमला।

बनाम

श्री मेहर चन्द पुत्र मौजा मल अपर प्लैट 28 नोयर बाजार शिमला।

दरखास्त जेर धारा 37 दरख्ती इन्द्राज मुकदमा मन्दरा उनवान वाला में सर्व श्री भोला राम व परमा नन्द को तामील मामूली धरीका से होनी मुश्किल है। इसलिये बजरीये इस्तहार सूचित किया जाता है कि तिथि 13-3-78 को मुकाम तहसील आफिस शिमला (पूद जन्ज बर) हाजिर अदालत आकर पैरवी मुकदमा करें वसूरन अदम हाजरी कार्यवाही यकतरफा अमल में लाई जावेगी।

15-2-78 आज मेरे हस्ताक्षर व मोहर अदालत से जारी किया गया।

मोहर।

डी० सी० चन्दन,  
एसोस्टेन्ट कुलैक्टर।

इस्तहार

न्यायालय श्री एस० आर० मैहता, उप-पंजीकरण अधिकारी महोदय, कुल्लू

मु० नं० I/T साल 1978 u/s 40/41 of I. R. Act.

श्रीमती नोमतू

बनाम

ग्राम जनता

बनाम

ग्राम जनता

मुकदमा मुद्दराजा उनवान वाला में श्रीमती नोमतू पत्नी डागू, निवासी डावरी फाटी शिलिहार कोठी खोबन ने एक बसोयत नामा मुद्दरी 30-6-1972 मिन जानिब रुन्डू पुत्र जगू, निवासी बाखली फाटी शिलिहार कोठी खोबन वगन रजिस्ट्री जेर धारा 40/41 भारतीय पंजीकरण अधिनियम मेरे न्यायालय में पेश की है जो असो तक जेर फैसला है। अतः इस्तहार हजा के जरिए सर्व साधारण जनता को सूचित किया जाता है कि यदि किसी व्यक्ति को उपरोक्त बसोयतनामा को पंजीकरण (रजिस्ट्री) होने में कोई एतराज हो तो वह असावतन या वकालतन अदालत हजा में तिथि 17-4-78 पेश कर सकता है अन्यथा बाद में कोई उजर समायत नहीं होगा और बसोयतनामा रजिस्ट्री कर दिया जाएगा।

आज तिथि 23-2-78 को हस्ताक्षर मेरे व मोहर अदालत से जारी हुआ।

मोहर

एस० आर० मैहता,  
उप-पंजीकरण अधिकारी कुल्लू।

न्यायालय श्री एस० आर० मेहता सहायक कलक्टर प्रथम श्रेणी (तहसीलदार) महोदय, कुल्लू, (हि० प्र०)

कोठी भलाण तहसील व जिला कुल्लू

—प्रत्यार्थी

विषय नं० 92/9 दरखास्त तकसीम अराजी खाता साल 1976-77 नं० 559 खतौनी नं० 1006 मुंजरी खसरा नं० 1075, 1076, 1077, 1078, 1079, 1080, 1082, 1083, 1084 किताब 9 रकबा तादादी 21 बीघा 2 बिस्वा जमा 1-60 रु माल मुंजरी जमाबदी साल 1971-72 वाकीफ फाटी रोड कोठी भलाण तहसील व जिला कुल्लू।

विषय उपरोक्त में श्री रेवती राम प्रत्यार्थी की तामील आसान तरीके से नहीं हो रही है। वह बबकत तामील रूपोश होना साबित हुआ है। अतः इस्तहार हुआ के जरिए उसे सूचित किया जाता है कि वह अदालत हुआ में असालतन या वकालतन बराए जवाब देही तिथि 6-4-78 बबकत 10-00 बजे दिन हाजर आवे वरना अदम हाजरी उसके खिलाफ एक पक्षीय कार्यावाही अमल में लाकर मुकदमा का फैसला कर दिया जाएगा।

श्रीमति बेगमा  
—प्रार्थी

बनाम

श्री रेवती राम

आज तिथि 25-2-78 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

बनाम

मोहर।

श्री रेवती राम पुत्र नौक पुत्र तुलू निवासी पभियारी फाटी रोड

एस० आर० मेहता,  
सहायक कलक्टर, प्रथम श्रेणी।

## भाग 6—भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन

### LAW DEPARTMENT

#### NOTIFICATION

*Simla-2, the 16th January, 1978*

No. LLR-E(9)17/77.—The following Acts recently passed by Parliament which have already been published in the Gazette of India, Extraordinary, Part-II, Section I, are hereby republished in the Himachal Pradesh Government Rajpatra for the information of general public:—

1. The Lady Hardinge Medical College and Hospital (Acquisition) and Miscellaneous Provisions Act, 1977 (No. 34 of 1977).
2. The Water (Prevention and Control of Pollution) Cess Act, 1977 (36 of 1977).

K. C. GUPTA,  
*Under Secretary.*

Assented on 3-12-77

### THE LADY HARDINGE MEDICAL COLLEGE AND HOSPITAL (ACQUISITION) AND MISCELLANEOUS PROVISIONS ACT, 1977

(ACT No. 34 OF 1977)

AN  
ACT

*to provide for the acquisition of the Lady Hardinge Medical College and Hospital and for the management of the Kalavati Saran Hospital, with a view to ensuring better facilities for higher medical education for women and medical facilities for women and children in the Union territory of Delhi and for matters connected therewith or incidental thereto.*

Be it enacted by Parliament in the Twenty-eighth Year of the Republic of India as follows:—

#### CHAPTER I

##### PRELIMINARY

1. *Short title and commencement.*—(1) This Act may be called the Lady Hardinge Medical College and Hospital (Acquisition) and Miscellaneous Provisions Act, 1977.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) “appointed day” means the date on which this Act comes into force;

(b) “Board of Administration” means the Board of Administration constituted by the Central Government under the Scheme;

(c) “Board of Management” means the Board of Management of the Kalavati Saran Hospital, constituted by the Central Government;

(d) “Fund” means the Lady Hardinge Hospital for Women and Children, Delhi, Fund, established by the Scheme;

(e) “Kalavati Saran Hospital” means the institution known as the Kalavati Saran Children’s Hospital, New Delhi, together with the dispensaries attached thereto and uses in connection therewith, and includes all laboratories and libraries used in connection with, or as accessories to, or adjuncts of, the said Hospital;

(f) “Lady Hardinge Medical College and Hospital” means the institutions known as the Lady Hardinge Medical College for Women, New Delhi, and the Lady Hardinge Hospital for Women and Children, New Delhi, together with the dispensaries attached thereto and used in connection therewith, and includes all lecture-rooms, museums, laboratories, libraries, hostels and boarding-houses used in connection with, or as accessories to, or adjuncts of, the said College or Hospital;

(g) “Scheme” means the Scheme for the administration of the Fund settled by the Central Government under sub-section (1) of section 5 of the Charitable Endowments Act, 1890 (6 of 1890), and published with the notification of the Government of India, in the late Ministry of Health, No. F. 4-3(1)/53-MI, dated the 12th June, 1953, as amended by the notifications of the Government of India, in the late Ministry of Health, No. F. 4-77/56-M II, dated the 14th March, 1957 and No. F. 4-77/56-MII, dated the 17th April, 1957;

(h) “Treasurer” means the Treasurer of Charitable Endowments for India, appointed under the Charitable Endowments Act, 1890 (6 of 1890).

#### CHAPTER II

##### ACQUISITION OF LADY HARDINGE MEDICAL COLLEGE AND HOSPITAL

3. *Lady Hardinge Medical College and Hospital to vest in Central Government.*—(1) On the appointed day, the Lady Hardinge Medical College and Hospital together with—

(a) all lands, on which the Lady Hardinge Medical College and Hospital stands, and all other lands,

appurtenant thereto and all buildings, erections and fixtures on such lands;

- (b) all furniture, equipments, stores, apparatuses and appliances, drugs, moneys and other assets of the Lady Hardinge Medical College and Hospital;
- (c) all other properties and assets, movable and immovable including leases pertaining to the Lady Hardinge Medical College and Hospital, whether vested in the Treasurer or the Board of Administration or in any other person; and all rights, powers, authorities and privileges, cash balances, reserve funds, investments and all other rights and interests in, or in relation to, or arising out of, such property as were, immediately before the appointed day, in the ownership, possession, power or control of the Treasurer or the Board of Administration or any other person in charge of the management of the affairs of the Lady Hardinge Medical College and Hospital; and
- (d) all borrowings made by, or on behalf of, and all other liabilities and obligations of whatever kind, incurred in relation to, the Lady Hardinge Medical College and Hospital, and subsisting on the appointed day,

shall stand transferred to, and shall vest absolutely in, the Central Government.

(2) Every deed of gift, endowment, bequest or trust or other document in relation to all or any of the properties, and assets, referred to in sub-section (1), shall, as from the appointed day, be construed as if it were made or executed in favour of the Central Government.

(3) Subject to the other provisions contained in this Act, any property, referred to in sub-section (1), which, by virtue of the provisions of that sub-section, has vested in the Central Government, shall, by force of such vesting, be freed and discharged from any trust, obligation, mortgage, charge, lien and other incumbrances affecting it, and any attachment, injunction or any decree or order of any court or tribunal restricting the use of such property in any manner shall be deemed to have been withdrawn.

(4) Subject to the other provisions contained in this Act, proceeding or cause of action, pending or existing immediately before the appointed day, by or against the Treasurer or the Board of Administration or any other person, in relation to the Lady Hardinge Medical College and Hospital, may, as from the appointed day, be continued and enforced by or against the Central Government as it might have been enforced by or against the Treasurer or the Board of Administration or such other person if this Act had not been enacted, and shall cease to be enforceable by or against the Treasurer or the Board of Administration or such other person.

4. *Payment of amount.*—(1) The Central Government shall give, in cash, to the Treasurer an amount equivalent to the sum of rupees one lakh for the transfer to, and vesting in, the Central Government, under section 3, of the Lady Hardinge Medical College and Hospital.

(2) The amount, referred to in sub-section (1), shall be paid within three months from the appointed day (hereafter in this section referred to as the specified period).

(3) The amount, referred to in sub-section (1), if not paid within the specified period, shall carry interest at the rate of four per cent per annum from the date of expiry of the specified period until the payment thereof.

5. *Lady Hardinge Medical College and Hospital to be administered as Government institution.*—On and from the appointed day, the Lady Hardinge Medical College and Hospital shall be administered by the Central Government as a Government institution, and, in administering the properties transferred to and vested in it under

section 3, regard shall be had to the purposes specified in the Scheme.

6. *Applicability of Act of 1882 to Board of Administration.*—For the removal of doubts, it is hereby declared that nothing in this Act shall be deemed to apply to any right accrued to, or any liability incurred by, the Board of Administration or any member thereof under the provisions of the Indian Trust Act, 1882, in respect of anything done or omitted to be done by it or him during any period preceding the appointed day.

7. *Amount to be held for purposes of Scheme.*—(1) The amount paid under section 4 shall vest in the Treasurer, and shall be held by him in the same manner as the Fund vested in him was held by him immediately before the appointed day.

(2) The amount paid to the treasurer under section 4 shall be administered by the Board of Administration in the same manner in which the Fund was administered by it, as if such amount were the Fund.

## CHAPTER III

### MANAGEMENT OF THE KALAVATI SARAN HOSPITAL

8. *Kalavati Saran Hospital to be managed as Government institution.*—(1) Notwithstanding anything contained in any contract or instrument to the contrary, on and from the appointed day, the Kalavati Saran Hospital shall be managed by the Central Government as a Government institution.

(2) In managing the Kalavati Saran Hospital as a Government institution, regard shall be had to the purposes for which the Hospital was set up in pursuance of the indenture, dated the 8th day of June, 1954, executed by Shri Ashok Saran, and the indenture, dated the 8th day of June, 1954, executed by Shri Raghubir Saran, in favour of the President of India.

(3) On and from the appointed day, the Board of Management shall stand dissolved.

## CHAPTER IV

### MISCELLANEOUS

9. *Act to override all other enactments.*—The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or any instrument having effect by virtue of any law other than this Act or any decree or order of any court, tribunal or authority.

10. *Provisions relating to officers and other employees of Lady Hardinge Medical College and Hospital and Kalavati Saran Hospital.*—(1) Every officer or other employee, who, immediately before the appointed day, is employed in, or in connection with the affairs of, the Lady Hardinge Medical College and Hospital, or, as the case may be, the Kalavati Saran Hospital, shall become, as from the appointed day, an officer or other employee, as the case may be, of the Central Government, and shall hold his office by the same tenure, at the same remuneration and upon the same terms and conditions and with the same rights and privileges as to pension, gratuity and other matters as he would have held, if this Act had not been enacted, and shall continue to do so unless and until his employment under the Central Government is duly terminated or until his remuneration, terms and conditions are duly altered by the Central Government.

Provided that, if the alteration so made is not acceptable to any such officer or other employee, his employment may be terminated by the Central Government on payment to him of an amount equivalent to three months' remuneration in the case of permanent employees and one months' remuneration in the case of other employees.

Provided further that nothing contained in this sub-section shall apply to any officer or other employee who has, by notice in writing given to the Central Government within thirty days next following the appointed day, intimated his intention of not becoming an officer or other employee of the Central Government.

(2) Notwithstanding anything contained in the Industrial Disputes Act, 1947 (14 of 1947), or in any other law for the time being in force, the transfer of the services of any officer or other employee, employed in, or in connection with the affairs of, the Lady Hardinge Medical College and Hospital or the Kalavati Saran Hospital to the Central Government shall not entitle any such officer or other employee to any compensation under that Act, or any other law, and no such claim shall be entertained by any court, tribunal or other authority.

(3) For the persons who, immediately before the appointed day, were the trustees for any pension, provident or gratuity fund or any other like fund constituted for the officers or other employees of the Lady Hardinge Medical College and Hospital and the Kalavati Saran Hospital, there shall be substituted as trustees such persons as the Central Government may, by general or special order, specify.

11. *Effect of contracts, etc.*—(1) All contracts, deeds, bonds, agreements, powers of attorney, grants of legal representation and other instruments of whatever nature, subsisting or having effect immediately before the appointed day, and to which the Board of Administration or, as the case may be, the Board of Management, or any person on behalf of the Board of Administration or, as the case may be, the Board of Management, is a party, or which are in favour of the Board of Administration or, as the case may be, Board of Management, shall, in so far as they relate to any purpose, or affairs, of the Lady Hardinge Medical College and Hospital, or, as the case may be, the Kalavati Saran Hospital, be of as full force and effect against, or in favour of, the Central Government, and may be enforced or acted upon as fully and effectually as if in place of the Board of Administration or, as the case may be, the Board of Management, the Central Government had been a party thereto or as if they had been issued in favour of the Central Government.

(2) If, on the appointed day, any suit, appeal or other proceeding of whatever nature in relation to the Lady Hardinge Medical College and Hospital, or, as the case may be, the Kalavati Saran Hospital, or any affair of the Lady Hardinge Medical College and Hospital or the Kalavati Saran Hospital, is pending by, or against, the Board of Administration or, as the case may be, the Board of Management or the Treasurer or any other person, the same shall not abate, be discontinued or be, in any way, prejudicially affected by reason of the transfer of the Lady Hardinge Medical College and Hospital to the Central Government or by reason of the assumption of management of the Kalavati Saran Hospital by the Central Government, or of anything contained in this Act; but the suit, appeal or other proceeding may be continued, prosecuted and enforced by or against the Central Government.

12. *Contracts, in bad faith or detrimental to the interests of Lady Hardinge Medical College and Hospital and Kalavati Saran Hospital to be cancelled or varied.*—

(1) Notwithstanding anything contained in section 11, the Central Government may, if satisfied after such inquiry as it may think fit, that any contract or agreement entered into before the appointed day between the Board of Administration or Board of Management or any member thereof, in relation to the Lady Hardinge Medical College and Hospital, or, as the case may be, the Kalavati Saran Hospital, or any affairs connected with the Lady Hardinge Medical College and Hospital or the Kalavati Saran Hospital, has been entered into in bad faith, or is detrimental to the interests of the Lady Hardinge Medical College and Hospital, or, as the case may be, the Kalavati Saran Hospital, it may make an order cancelling or varying (either unconditionally or

subject to such conditions as it may think fit to impose for the purpose) such contract or agreement and thereafter the contract or agreement shall have effect accordingly:

Provided that no contract or agreement shall be cancelled or varied except after giving to the parties to the contract or agreement a reasonable opportunity of being heard.

(2) Any person aggrieved by an order made under sub-section (1), may make an application to the principal court of civil jurisdiction within the local limits of whose jurisdiction the Lady Hardinge Medical College and Hospital, or, as the case may be, the Kalavati Saran Hospital is situated, for the variation or reversal of such order and thereupon such court may confirm, modify or reverse such order.

13. *Duty to deliver possession of property, etc.*—(1) On the transfer to, and the vesting in, the Central Government of the Lady Hardinge Medical College and Hospital, and on the assumption of the management of the Kalavati Saran Hospital by the Central Government,—

(a) the Board of Administration, or, as the case may be, the Board of Management, and every person in whose possession, custody or control any property or asset specified in sub-section (1) of section 3, or any property or asset pertaining to the Kalavati Saran Hospital may be, shall deliver the same to such officer or other person as may be authorised by the Central Government in this behalf;

(b) the Board of Administration or, as the case may be, the Board of Management, and every person who, immediately before such vesting or assumption, has in his possession, custody or control any books, documents or other papers relating to the Lady Hardinge Medical College and Hospital, or the Kalavati Saran Hospital, shall be liable to account for the said books, documents and papers to the Central Government and shall deliver them, up to the Central Government or to such officer or other person as may be authorised by the Central Government in this behalf.

(2) Without prejudice to the other provisions contained in this section, it shall be lawful for the Central Government to take all necessary steps for taking possession of all properties and assets which have been transferred to, and vested in, it under this Act, or in relation to which the management has been assumed by it under this Act.

14. *Penalty.*—Any person who,—

(a) having in this possession, custody or control any property held for the purposes of the Lady Hardinge Medical College and Hospital or the Kalavati Saran Hospital, wrongfully withholds such property from the Central Government; or

(b) wrongfully obtains possession of, or retains, any property held for the purposes of the Lady Hardinge Medical College and Hospital, or the Kalavati Saran Hospital; or

(c) wilfully withholds or fails to furnish to the Central Government any books, documents or other papers relating to the Lady Hardinge Medical College and Hospital or the Kalavati Saran Hospital; or

(d) fails to deliver to the Central Government any assets, books or other documents in his possession, custody or control relating to the Lady Hardinge Medical College and Hospital or the Kalavati Saran Hospital; or

(e) wrongfully removes or destroys any property held for the purposes of the Lady Hardinge Medical



College and Hospital or the Kalavati Saran Hospital; or

- (f) wrongfully uses any property held for the purposes of the Lady Hardinge Medical College and Hospital or the Kalavati Saran Hospital,

shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to ten thousand rupees, or with both.

**15. Offences by companies.**—(1) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

*Explanation.*—For the purpose of this section,—

- (a) “company” means any body corporate and includes a firm or other association of individuals; and  
(b) “director”, in relation to a firm, means a partner in the firm.

**16. Protection of action taken in good faith.**—No suit, prosecution or other legal proceeding shall lie against the Central Government or any of its officers or other employees for anything which is in good faith done or intended to be done under this Act.

**17. Cognizance of offences.**—Notwithstanding anything contained in the Code of Criminal Procedure, 1973, (2 of 1974), no court shall take cognizance of any offence under this Act except on a complaint, in writing, made by the Central Government or any officer authorised in this behalf by that Government.

**18. Indemnity.**—Every officer of the Central Government shall be indemnified by the Central Government against all losses and expenses incurred by him in, or in relation to, the discharge of his duties under this Act except such as have been caused by his own wilful act or default.

**19. Power to make rules.**—(1) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

(2) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall after have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

ASSENTED TO ON 7TH DECEMBER, 1977.

# THE WATER (PREVENTION AND CONTROL OF POLLUTION) CESS ACT, 1977

(ACT No. 36 of 1977)

AN

ACT

*to provide for the levy and collection of a cess on water consumed by persons carrying on certain industries and by local authorities, with a view to augment the resources of the Central Board and the State Boards for the prevention and control of water pollution constituted under the Water (Prevention and Control of Pollution) Act 1974.*

BE it enacted by parliament in the Twenty-eighth Year of the Republic of India as follows:—

**1. Short title, extent, application and commencement.**—(1) This Act may be called the Water (Prevention and Control of Pollution) Cess Act, 1977.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) Subject to the provisions of sub-section (2), it applies to all the States to which the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) applies and the Union territories.

(4) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

(2) *Definitions.*—In this Act, unless the context otherwise requires,—

(a) “local authority” means a municipal corporation or a municipal council (by whatever name called) or a cantonment board or any other body, entrusted with the duty of supplying water under the law by or under which it is constituted;

(b) “prescribed” means prescribed by rules made under this Act;

(c) “specified industry” means any industry specified in Schedule I;

(d) words and expressions used but not defined in this Act and defined in the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) shall have the meanings respectively assigned to them in that Act.

**3. Levy and collection of cess.**—(1) There shall be levied and collected a cess for the purposes of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and utilisation thereunder.

(2) The cess under sub-section (1) shall be payable by—

- (a) every person carrying on any specified industry; and  
(b) every local authority.

and shall be calculated on the basis of the water consumed by such person or local authority, as the case may be, for any of the purposes specified in column (1) of Schedule II, at such rate, not exceeding the rate specified in the corresponding entry in column (2) thereof, as the Central Government may, by notification in the Official Gazette, from time to time, specify.

(3) Where any local authority supplies water to any person carrying on any specified industry or to any other local authority and such person or other local authority is liable to pay cess under sub-section (2) in respect of the water so supplied, then, notwithstanding

anything contained in that sub-section, the local authority first mentioned shall not be liable to pay such cess in respect of such water.

*Explanation.*—For the purposes of this section and section 4, “consumption of water” includes supply of water.

4. *Affixing of meters.*—(1) For the purpose of measuring and recording the quantity of water consumed, every person carrying on any specified industry and every local authority shall affix meters of such standards and at such places as may be prescribed and it shall be presumed that the quantity indicated by the meter has been consumed by such person or local authority, as the case may be, until the contrary is proved.

(2) Where any person or local authority fails to affix any meter as required by sub-section (1), the Central Government shall, after notice to such person or local authority, as the case may be, cause such meter to be affixed and the cost of such meter together with the cost for affixing the meter may be recovered from such person or local authority by the Central Government in the same manner as an arrear of land revenue.

5. *Furnishing of returns.*—Every person carrying on any specified industry and every local authority, liable to pay the cess under section 3, shall furnish such returns, in such form at such intervals and containing such particulars to such officer or authority, as may be prescribed.

6. *Assessment of cess.*—(1) The officer or authority to whom or which the return has been furnished under section 5 shall, after making or causing to be made such inquiry as he or it thinks fit and after satisfying himself or itself that the particulars stated in the return are correct, by order, assess the amount of cess payable by the concerned person carrying on any specified industry or local authority, as the case may be.

(2) An order of assessment made under sub-section (1) shall specify the date within which the cess shall be paid to the State Government.

(3) A copy each of the order of assessment made under sub-section (1) shall be sent to the person or, as the case may be, to the local authority concerned and to the State Government.

(4) The state Government shall, through such of its officers or authorities as may be specified by it in this behalf by notification in the Official Gazette, collect the cess from the person or local authority liable to pay the same and pay the amount so collected to the Central Government in such manner and within such time as may be prescribed.

7. *Rebate.*—Where any person or local authority, liable to pay the cess under this Act, installs any plant for the treatment of sewage or trade effluent, such person or local authority shall, from such date as may be prescribed, be entitled to a rebate of seventy per cent of the cess payable by such person or, as the case may be, local authority.

8. *Crediting proceeds of cess to Consolidated Fund of India and application thereof.*—The proceeds of the cess levied under section 3 shall first be credited to the Consolidated Fund of India and the Central Government may, if Parliament, by appropriation made by law in this behalf, so provides, pay to Central Board and every State Board, from time to time, from out of such proceeds, after deducting the expenses on collection, such sums of money as it may think fit for being utilised under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974):

Provided that while determining the sum of money to be paid to any State Board under this section, the Central Government shall have regard to the amount of cess collected by the State Government concerned under sub-section (4) of section 6.

*Explanation.*—For the purposes of this section, “State Board” includes a Joint Board, if any, constituted under section 13 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974).

9. *Power of entry.*—Any officer or authority of the State Government specially empowered in this behalf by that Government may,—

(a) with such assistance, if any, as he or it may think fit, enter at any reasonable time any place which he or it considers it necessary to enter for carrying out the purposes of this Act including the testing of the correctness of the meters affixed under section 4;

(b) do within such place anything necessary for the proper discharge of his or its duties under this Act; and

(c) exercise such other powers as may be prescribed.

10. *Interest payable for delay in payment of cess.*—If any person carrying on any specified industry or any local authority fails to pay any amount of cess payable under section 3 to the State Government within the date specified in the order of assessment made under section 6, such person or local authority, as the case may be, shall be liable to pay interest at twelve per cent per annum on the amount to be paid from the date on which such payment is due till such amount is actually paid.

11. *Penalty for non-payment of cess within the specified time.*—If any amount of cess payable by any person carrying on any specified industry or any local authority under section 3 is not paid to the State Government within the date specified in the order of assessment made under section 6, it shall be deemed to be in arrears and the authority prescribed in this behalf may, after such inquiry as it deems fit, impose on such person or, as the case may be, local authority, a penalty not exceeding the amount of cess in arrears:

Provided that before imposing any such penalty, such person or, as the case may be, the local authority shall be given a reasonable opportunity of being heard and if after such hearing the said authority is satisfied that the default was for any good and sufficient reason, no penalty shall be imposed under this section.

12. *Recovery of amount due under the Act.*—Any amount due under this Act (including any interest or penalty payable under section 10 or section 11, as the case may be) from any person carrying on any specified industry or from any local authority may be recovered by the Central Government in the same manner as an arrear of land revenue.

13. *Appeals.*—(1) Any person or local authority aggrieved by an order of assessment made under section 6 or by an order imposing penalty made under section 11 may, within such time as may be prescribed, appeal to such authority in such form and in such manner as may be prescribed.

(2) Every appeal preferred under sub-section (1) shall be accompanied by such fees as may be prescribed.

(3) After the receipt of an appeal under sub-section (1), the appellate authority shall, after giving the appellant an opportunity of being heard in the matter, dispose of the appeal as expeditiously as possible.

(4) Every order passed in appeal under this section shall be final and shall not be called in question in any court of law.

14. *Penalty.*—(1) Whoever, being under an obligation to furnish a return under this Act, furnishes any return knowing, or having reason to believe, the same to be false shall be punishable with imprisonment which may extend to six months or with fine which may extend to one thousand rupees or with both.



(2) Whoever, being liable to pay cess under this Act, wilfully or intentionally evades or attempts to evade the payment of such cess shall be punishable with imprisonment which may extend to six months or with fine which may extend to one thousand rupees or with both.

(3) No court shall take cognizance of an offence punishable under this section save on a complaint made by or under the authority of the Central Government.

**15. Offences by companies.**—(1) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

*Explanation.*—For the purposes of this section,—

- (a) “company” means any body corporate and includes a firm or other association of individuals; and
- (b) “director”, in relation to a firm, means a partner in the firm.

**16. Power to amend Schedule I.**—(1) The Central Government may, by notification in the Official Gazette, add to Schedule I any industry having regard to the consumption of water in the carrying on of such industry and the consequent discharge thereof resulting in pollution of any stream and thereupon Schedule I shall, subject to the provisions of sub-section (2), be deemed to be amended accordingly.

(2) Every such notification shall be laid before each House of Parliament, if it is sitting, as soon as may be after the issue of the notification, and if it is not sitting, within seven days of its re-assembly and the Central Government shall seek the approval of Parliament to the notification by a resolution moved within a period of fifteen days beginning with the day on which the notification is so laid before the House of the People, and if Parliament makes any modification in the notification or directs that the notification should cease to have effect, the notification shall thereafter have effect only in such modified form or be of no effect, as the case may be, but without prejudice to the validity of anything previously done thereunder.

**17. Power to make rules.**—(1) The Central Government may make rules for carrying out the purposes of this Act.

(2) Without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) the standards of the meters to be affixed and the places at which such meters are to be affixed under sub-section (1) of section 4;
- (b) the returns to be furnished under section 5, the form in which and the intervals at which such returns are to be furnished, the particulars which such returns shall contain and the officer or authority to whom or which such returns shall be furnished;
- (c) the manner in which and the time within which the cess collected shall be paid to the Central Government under sub-section (4) of section 6;
- (d) the date from which any person or local authority liable to pay cess shall be entitled to the rebate under section 7;
- (e) the powers which may be exercised by the officer or authority under section 9;
- (f) the authority which may impose penalty under section 11;
- (g) the authority to which an appeal may be filed under sub-section (1) of section 13 and the time within which and the form and manner in which such appeal may be filed;
- (h) the fees which shall accompany an appeal under sub-section (2) of section 13; and
- (i) any other matter which has to be or may be prescribed.

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

## SCHEDULE I

[See section 2(c)]

1. Ferrous metallurgical industry.
2. Non-ferrous metallurgical industry.
3. Mining industry.
4. Ore processing industry.
5. Petroleum industry.
6. Petro-chemical industry.
7. Chemical industry.
8. Ceramic industry.
9. Cement industry.
10. Textile industry.
11. Paper industry.
12. Fertilizer industry.
13. Coal (including coke) industry.
14. Power (thermal and diesel) generating industry.
15. Processing of animal or vegetable products industry.

## SCHEDULE II

(See section 3)

Purpose for which water is consumed 1	Maximum rate 2
1. Industrial cooling, spraying in mine pits or boiler feed.	Three fourths of a paise, per kilo litre.
2. Domestic purpose	One paise, per kilo litre.
3. Processing whereby water gets polluted and the pol- lutants are easily bio- degradable.	Two paise, per kilo litre.
4. Processing whereby water gets polluted and the pol- lutants are not easily bio- degradable and are toxic.	Two and a half paise, per kilo litre.

भाग 7—भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं  
तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं

शून्य

अनुपूरक

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